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In re application of:	Rita Koester, et al.	:	
Serial No.	09/831,432	:	DECISION ON
Filed:	July 30, 2001	:	PETITION
For:	MACHINE DISHWASHING RINSE AGENTS AND	:	
	METHODS OF USING THE SAME	:	

This is a response to the PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT filed January 24, 2005. The petition requests that the abandonment, as set forth in the Notice of Abandonment of December 27, 2004, for failure to timely file a proper reply to the Office letter of June 25, 2004, be withdrawn since the applicants did timely file a response thereto on December 22, 2004 by facsimile transmission to the USPTO. (A copy of the papers filed December 22, 2004 and a copy of the Facsimile Transmission Report indicating receipt of the facsimile transmission at the USPTO is attached to the instant petition.)

DECISION

The instant request has been accepted as a petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 (no fee) - no abandonment-in-fact. A review of the evidence presented reveals that applicant's response was properly filed on December 22, 2004 by facsimile transmission as evidenced by a copy of the Facsimile Transmission report provided with the instant petition which indicates the successful transmission, to a USPTO facsimile telephone number (703-872-9306), of 13 pages and an Auto-Reply Facsimile from the USPTO dated December 22, 2004 indicating the receipt of 13 pages. Therefore, the application was never in-fact abandoned and any holding of abandonment for failure to timely file a proper response to the Office letter mailed on June 25, 2004 is hereby vacated, and the application is returned to pending status.

The application shall be forwarded to the examiner for processing and consideration of the papers originally filed December 22, 2004 by facsimile transmission and a copy of which is provided as an attachment to the instant petition.

The Petition is GRANTED.

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